

FILED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Lisa FLANIGAN

Defendant.

Magistrate Case No. _____

'08 MJ 0059

DEPUTY

COMPLAINT FOR VIOLATION OFTitle 8, U.S.C., Section
1324(a)(2)(B)(iii)-
Bringing in Illegal Alien
Without Presentation

The undersigned complainant being duly sworn states:

On or about **January 7, 2008**, within the Southern District of California, defendant **Lisa FLANIGAN**, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, **Mario TORRES-Rodriguez**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien, and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

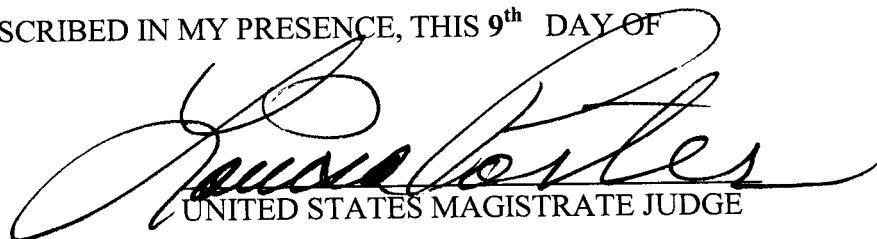
And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT

Claudia A. Rios, U.S. Customs and Border
Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 9th DAY OF
JANUARY, 2008.



UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

The complainant states that **Mario TORRES-Rodriguez** is a citizen of a country other than the United States; that said alien has admitted he is deportable; that his testimony is material; that it is impracticable to secure his attendance at trial by subpoena; and that he is a material witness in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On January 7, 2008 at approximately 2051 hours **Lisa FLANIGAN (Defendant)** made application for admission into the United States from Mexico at the San Ysidro, California Port of Entry as the driver of a green Chevrolet Astro Van. Defendant presented a California identification card bearing her name and photograph to a Customs and Border Protection (CBP) Officer. A CBP Canine Enforcement Officer received an alert from his assigned canine to the blue Chevrolet Astro Van Defendant was operating. A CBP Officer received a negative customs declaration from the Defendant. The CBP Officer conducted a cursory inspection of the vehicle Defendant was operating and observed abnormalities in the gas tank. The CBP Officer proceeded to escort the Defendant and vehicle into secondary inspection.

During secondary inspection, a non-factory compartment inside the gas tank of the vehicle was discovered. Subsequently, one male individual was removed from the gas tank. An alternate fuel source was discovered in the rear floor area of the vehicle with a non-factory fuel spout. The male individual was determined to be a citizen of Mexico with no entitlements to enter the United States and identified as **Mario TORRES-Rodriguez**, henceforth identified as **Material Witness**. All individuals were escorted to the prosecutions unit area for further processing.

During a videotaped interview Material Witness admitted he is a citizen of Mexico not possessing the proper documentation to enter into, pass through, or remain in the United States. Material Witness stated he intended to travel to Fresno, California, to reside and seek employment. Material Witness admitted he attempted to elude inspection into the United States by being concealed in a vehicle. Material Witness stated he paid an unknown male \$3,500 USD to be smuggled to the United States.